

of the following comments is respectfully requested.

Before discussing the rejection in detail, again a brief review of the presently claimed invention may be quite instructive. The subject invention relates to a polypropylene-based resin composition for metallized films where the composition comprises, among other things, a propylene random copolymer (A) produced in the presence of a metallocene catalyst, which has the properties (a-1) to (a-6) as recited in claim 1. An important feature of this composition is that the propylene random copolymer (A) (hereinafter simply referred to as "copolymer (A)") is produced in the presence of a metallocene catalyst. In other words, it is extremely difficult, if not impossible, to produce the copolymer (A) without using a metallocene catalyst, that is, for example, in the presence of a conventional Ziegler-Natta type catalyst. It submitted that such a polypropylene-based resin composition for metallized films which includes copolymer (A) as defined in claim 1 is not taught or suggested by the cited patent to Chatterjee.

Applicants wish to make of record the telephone interview of March 16, 2006, conducted between Examiner Cheung and the undersigned. During the interview, discussions were directed to (1) the type and nature of the experimental evidence which would be sufficient to overcome the rejection based on the patent to Chatterjee, and (2) an exploration of whether the incorporation of dependent claim 6 into claim 1 would be of assistance in distinguishing over the cited patent.

With regard to matter (1) above in terms of the type of evidence necessary, the examiner indicated that, as was asserted in the most recent Action, he was of the opinion that the properties of propylene copolymers can vary considerably depending upon the particular catalyst system used as well as the particular conditions used in the polymerization. To make the most effective comparisons between copolymers produced from one metallocene catalyst system and copolymers produced from Ziegler-Natta catalyst systems, the examiner suggested that applicants attempt to reproduce the polypropylene copolymers of the Chatterjee patent and compare them with polypropylene copolymers produced with metallocene catalysts systems so as to demonstrate their superiority.

After conclusion of the telephone interview, the subject application was carefully reviewed, particularly the recently submitted Declaration of Mr. Yasunori Nakamura, one of the inventors in the subject application. It appeared to the undersigned that the Declaration had presented experimental evidence regarding the compositions according to the Chatterjee patent as best could be replicated. Therefore, the subject application was discussed with Examiner Cheung in a second telephone interview. In so doing, the test results set forth in the Declaration were explained and it then was asserted that these results best replicated the examples of the Chatterjee patent, since the patent itself did not provide sufficiently detailed information as to how the materials were prepared. Specifically emphasized was the portion of the Declaration which correlated the experimental examples

and the compositions in terms of ethylene content and properties of the copolymers as set forth in the Tables of the patent.

At the conclusion of the second telephone interview, it was suggested by the examiner that the above explanation regarding replicating the examples of the Chatterjee patent in the Declaration be submitted in a further written response. At this point, the examiner declined to give any indication as to the type of further evidence he might consider necessary.

As to matter (2), the examiner was of the opinion that the inclusion of the subject matter of dependent claim 6 into claim 1 would not be sufficient to place the application in condition for allowance. It was his belief that claim 6 simply recited further properties of the claimed copolymers and, as such, it would be necessary to demonstrate that the prior art copolymers did not have such properties in order for the combined claim to patentably distinguish over the Chatterjee patent. It is desired to thank the examiner for the courtesies extended during the interviews.

Thus, in accordance with the suggestion of the examiner, as stated during the interview, a further response is being submitted emphasizing how the experimental results as set forth in the previously submitted Declaration are the best representation possible for the teachings of the Chatterjee patent. In this regard, it must be initially noted that the

patent itself does not provide sufficiently detailed information as to how the materials were prepared in terms of the reactants, processing conditions, catalysts and the like.

It is submitted that the compositions used in the Declaration as comparative examples best replicate the examples of the Chatterjee patent. Specifically, attention is directed to the following paragraphs of the Declaration:

Paragraphs (7) through (9) - Commercial propylene-ethylene random copolymers (i) to (iii) which were to correspond to those co polymers used in the patent to Chatterjee were selected according to criteria (a)-(c).

Paragraphs (10) through (12) - Properties of the selected copolymers (i) to (iii) were obtained by preparing and then evaluating films.

Paragraph (13) - The properties of the selected copolymers (i) to (iii) from the evaluated films and the copolymers used in the Chatterjee patent were compared. In particular, Tables A and B show that the properties of the films prepared using the selected copolymers (i) to (iii) are substantially the same as those of the films of Examples 4 and 10 of the Chatterjee patent.

From the above paragraphs of the Declaration which correlated the experimental examples

and the compositions as set forth in the Tables of the patent in terms of ethylene content and properties of the copolymers, it was concluded that any differences were negligible and thus selected copolymers (i) to (iii) can be regarded as having being substantially the same as the copolymers of the Chatterjee patent.

Therefore, it is submitted that the propylene random copolymers compositions according to the Chatterjee patent do not in fact have one or more of the properties as claimed as demonstrated by the experiments of the previously submitted Declaration and thus it is submitted that the Chatterjee patent does not teach or suggest the essential features and unexpected effects of the presently claimed invention. The subject Declaration clearly demonstrates that the properties of copolymer (A) as claimed are only achieved according to the subject invention and such are not obtainable in accordance with the teachings of the Chatterjee patent.

For the reasons stated above, withdrawal of the rejection under 35 U.S.C. § 102(b) or 35 U.S.C. § 103(a) and allowance of claims 1, 3, 5-7, 9 and 11-12 over the cited Chatterjee patent are respectfully requested.

In view of the foregoing, it is submitted that the subject application is now in condition for allowance and early notice to that effect is earnestly solicited.

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In the event this paper is not timely filed, the undersigned hereby petitions for an appropriate extension of time. The fee for this extension may be charged to Deposit Account No. 01-2340, along with any other additional fees which may be required with respect to this paper.

Respectfully submitted,

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